



## STATE BOARD OF EQUALIZATION STAFF LEGISLATIVE BILL ANALYSIS (SHORT FORM)

Date Amended:	<b>05/06/99</b>	Bill Number:	<b>SB 61</b>
Tax:	<b>Sales and Use Tax</b>	Author:	<b>Perata</b>
Board Position:	<b>Support</b>	Related Bills:	

### **COMMENTS:**

The amendments contained in this version of the bill simply add additional justification to the Legislative findings and declarations which state that there is a statewide public purpose served in forgiving sales tax liabilities on sellers or users of blood collection units in that the population of the state as a whole benefits from the availability of donated blood.

This bill would still provide the necessary statutory authority to make unreported or underreported sales and purchases of blood collection units exempt from the sales and use tax for periods prior to the April 1, 1998 operative date of the current exemption. This bill would prohibit the Board from determining a tax liability against retailers or blood banks who were not properly reporting their tax liability when the blood collection technology changes made the previously exempt items fall outside the parameters of the nonreturnable container exemption that had previously applied. Without such statutory authority, the Board has no legal basis to dismiss or excuse a deficiency determination.

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*This staff analysis is provided to address various administrative, cost, revenue and policy issues; it is not to be construed to reflect or suggest the Board's formal position.*